

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Civil Action No.:03-10062-DPW

LINCOLN SMITH,

Plaintiffs,

V.

CITY OF BOSTON, BOSTON INSPECTIONAL
SERVICES, AND KEVIN JOYCE (AS
COMMISSIONER, DEPARTMENT OF
INSPECTIONAL SERVICES AND INDIVIDUALLY)
Defendants.

**PLAINTIFFS OPPOSITION TO DEFENDANT, KEVIN JOYCE, MOTION FOR
SUMMARY JUDGMENT**

Now comes the Plaintiff, Lincoln Smith, and hereby submits this Opposition to Defendant, Kevin Joyce's Motion for Summary Judgment. The Defendant has failed to prove that there is no genuine issue of disputed material fact on any counts contained in the complaint and judgment as a matter of law is inappropriate. The Plaintiff submits a Memorandum of Law and Exhibits, and a Response to the Defendant's Local Rule 56.1 Statement of Facts in support of his Opposition to the Defendant's Motion for Summary Judgment.

WHEREFORE, the Defendant Motion for Summary Judgment should be denied.

Respectfully submitted,
Lincoln Smith
By his attorneys

April 28, 2004

/s Mark T. Stopa
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